

**REMARKS**

Claims 1-71 are canceled, and claims 72-79 are no longer pending, having been withdrawn from consideration as a result of the restriction requirement.

Claim 9 has been rejected under 35 USC 102(b) as anticipated by Vriens. The rejection is respectfully traversed. The rejection is moot since the claim has been canceled.

Claims 2, 4, 6, 8 and 65-71 have been rejected under 35 USC 103(a) as unpatentable over Vriens in view of Phosphor; claim 10 has been rejected under 35 USC 103(a) as unpatentable over Vriens in view of Vecht; and claims 11-63 have been rejected under 35 USC 102(b) as anticipated by Vriens, or in the alternative, under 35 USC 103(a) as unpatentable over Vriens in view of Komoto. The rejections are moot since the claims have been canceled.

In any event, Applicants submit the following remarks as distinguishing the newly added claims (corresponding to the canceled claims, and further amended). Vriens discloses UV/blue light from an LED (col. 1, Ins. 55-60). However, the wavelength of UV is less than 400 nm and the wavelength of blue light is 430-460 nm. Hence, Vriens is out of the wavelength range of 400 to 420 nm, as recited in the various claims. Since light having a wavelength of 400-420 nm from the semiconductor light-emitting element is virtually invisible to the human eye, the recognition concerning light from the fluorescent substance is virtually unaffected by the direct light from the semiconductor light-emitting element even if those lights are mixed. Therefore, a semiconductor light-emitting device that emits monochromatic light with a favorable color tone for a human being can be obtained. Additionally, in the wavelength of 400 to 420 nm, components of the semiconductor light-emitting device are hardly deteriorated and also virtually no adverse effect to humans (see, for example, page 8, paragraph 0016 to page 10, paragraph 0017 of the instant specification).

Additionally, the emission wavelength of 390 to 420 nm, exclusive of 390 nm, in combination with the fluorescent substance, as required by the claims, is not disclosed by any of the applied references.

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conference would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

*The Examiner is respectfully requested to contact the undersigned to conduct an interview for this application.*

In the event the U.S. Patent and Trademark office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 204552021500. However, the Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

Dated: May 25, 2004

Respectfully submitted,

By   
Kevin R. Spivak

Registration No.: 43,148

MORRISON & FOERSTER LLP

1650 Tysons Blvd, Suite 300

McLean, Virginia 22102

(703) 760-7762 - Telephone

(703) 760-7777 - Facsimile